

REMARKS

Claims 1-20 are pending

Claims 5-13 and 15-17 are withdrawn due to a restriction requirement responded to with traverse. The active claims are claims 1-4, 14 and 18-20.

The drawings are objected to as not showing the "minute flaw" set forth in claims 1 and 3. Applicants traverse this. The "minute flaw" is made on the surface of the sheet 20. This is described at line 21, page 12 to line 2, page 13 of the Specification. The "minute flaw" really cannot be shown in a drawing. It is like an unevenness of the surface. Therefore, it is requested that this objection be withdrawn.

Claims 1-4, 14 and 18-20 are rejected as being indefinite. The amended claims also include amendments to satisfy this rejection. New claims 21 and 22 have been added.

Claim 1 has been amended to incorporate the subject matter of claims 4 and 18. Claim 2 has been amended to incorporate the subject matter of claim 4. Claims 1 and 2 have been written to consider the sheet of material that the machine starts with and the end product of separable bags along the length of the belt that the machine produces. Claims 19 and 20 have been made dependent from amended claim 1. Claims 4 and 18 have been cancelled. The additional feature of the "perforations" (see 37 of Fig. 23) has been added to each of the independent claims 1 and 2.

Claims 1 and 14 are rejected over Takemasa, et al., U.S. 5,908,113 in view of Hetrick, et al., U.S. 6,199,698 and Parmer, U.S. 2,851,212 or Salfisberg, U.S. 2,012,405. Claims 18-20 were rejected over these references, and further in view of the German Patent DE 43 24 771 to Gebhardt or Koch, et al., U.S. 6,309,104.

Claim 1 sets forth that the side edges of the sheet have triangular notches along the side edge parts of the sheet that overlap when the sheet is folded. The fused area along the length of the belt is inwardly of the notches. This makes the belt strong along its length. As described at pages 5 and 6 of the Specification, the notches provide access to tearing open the package.

In the principal reference to Takemasa, the perforations 9 are the means for dividing the belt-shaped sheet to separate each wrapping bag. The perforations 9 are used as part of the arrangement for tearing open the wrapping bag to take out the medicine. Each of the embodiments of Takemasa has a cut or opening or notch that cooperates with the perforations 9 to accomplish this.

For example, in Fig. 8 V-shaped separated notches 10 (zig zag) are shown. The notches 10 are the means for tearing open the wrapping bag for taking out the medicine. In Takemasa, the notch 10 cooperates with the perforations 9. That is, in Takemasa, the perforations 9 and notch 10 basically act as one. Because of such construction, Takemasa has several problems. When separating the belt-shaped sheet into individual wrapping bags using the perforation 9, the sheet can be easily torn from the notch 10 by mistake. To make it easy to divide the belt-shaped sheet by the perforation 9 and tear open a bag by the notch 10, it is necessary to make deeper cuts through the belt to achieve this. But when the perforation 9 and the notch 10 are cut more deeply, the strength of the belt-shaped sheet will be reduced. This makes it more difficult to discharge the belt-shaped sheet from the wrapping machine. Also, the sheet discharging speed cannot be very fast.

In the present invention, in contrast to Takemasa, the wavy or saw-toothed shape or triangular portion on the edge of the belt-shaped sheet is not for dividing the sheet into the wrapping bag. So when separating the belt-shaped sheet into the individual wrapping bags using the perforation 37, the sheet will not be easily torn by mistake. Also, the strength of the belt will not be decreased like in Takemasa.

Also, because of the edge of the sheet is cut to wavy or saw-toothed shape or triangular notches before the fusing in the machine into the individual bags take place and not cut after the thermal fusing there is no waste after the wrapping of the medicine.

As to Hetrick, this is cited for teaching that the sheet material can be a bi-axially oriented polypropylene with a polyolefin layer/sheet such as polyethylene. There is only shown the notch 110 and the tear line 115, 120 to tear the pouch more easily. Hetrick does not show the saw-toothed shape at the edges of the belt.

Parmer is cited for teaching a pouch (10) having indentations (24) which are considered to correspond to the claimed "minute flaw" now recited in claim 1. Salfisberg is cited for teaching two sheets (1, 2) sealed to each other and forming a minute flaw (Figs. 2 and 3).

In Parmer, the indentations (24) are striations to aid in tearing the package. As described at pages 12-13 of the specification as cited above, the "minute flaws" are like a roughening of the surface of the material. This has advantages such as making it easier to fuse the belt material together, print on its surface, etc.

The citation of Salfisberg is not understood. The grid like lines are the "interdigitating" (page 2, line 60) seals between the two sheets.

The addition of the secondary references of Parmer and Salfisberg do not cure the basic defect of the failure of the primary references of Takemasa and Hetrick to meet the terms of the novel structure of claim 1. Therefore, claim 1 is clearly patentable and should be allowed.

Claim 2 recites that the side edge parts are formed to be wavy or have notches. As described at pages 5-6 of the Specification, this makes it easier to tear open the package.

Claims 19 and 20 now depend from claim 1 and recite further features of the invention. Therefore, they also should be allowable.

Claim 2 is rejected over the combination of Takemasa in view of Hetrick, the German patent to Gebhardt or Koch. The arguments relative to Takemasa and Hetrick are repeated. While Koch shows a wavy edge, it does not have lines of perforations that extend across the width of the belt that are used to separate the bags. In the invention the saw-toothed edges and the perforations cooperate to aid in the separation of the individual bags. The serrations 6 of Koch in a small area are not the "minute flaw" of claim 2 as described at pages 12-13 of the Specification.

As to Gebhardt, there is no basis taught or suggested in any of the references to make the combination. Even if the combination is made, it still does not meet the terms of the novel and advantageous product of claim 2.

Accordingly, claim 2 also patentably distinguishes over the cited art and should be allowed.

New claim 21, which depends from claim 1, is directed to the end product of Fig. 12. New claim 22 also depends from claim 1 and sets forth that a line of perforations start at the apex of a triangular notch. This makes it easier to separate the packages.

Prompt and favorable action is requested.

Dated: June 7, 2007

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